IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

OP.No. 11255 of 1997(M)

PETITIONER:

P.V.VIJAYAMMA, ADVOCATE, D/O. N.VASUDEVAN,
AGED 31 YEARS, RESIDING AT KALLUPURAYIDATHIL HOUSE,
MUTTATHUKONAM P.O.,
ELAVAMTHITTA, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.A.X.VARGHESE

RESPONDENTS:
----

1. **STATE OF KERALA, REP.BY THE HOME SECRETARY,**
   SECRETARIATE, TRIVANDRUM.

2. **CHIEF SECRETARY, STATE OF KERALA,**
   SECRETARIATE, TRIVANDRUM.

3. **SMT. SREELEKHA, I.P.S., SUPERINTENDENT OF POLICE,**
   PATHANAMTHITTA DISTRICT.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA
SRI.L.G.SURESH BABU
ADDL.ADVOCATE GENERAL

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.19932/1997 IN OP. NO.11255/1997

DISMISSED

14.06.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE NEWS ITEM DT. 26.10.96 PUBLISHED IN MALAYALA MANORAMA DAILY.

EXT.P2:- COPY OF THE SANCTION PETITION DT. 11.11.96 SENT BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P3:- COPY OF THE CRIMINAL COMPLAINT UN DATED DRAFTED BY THE PETITIONER TO BE FILED AT THE JUDICIAL 1ST CLASS MAGISTRATE COURT NO. I, PATHANAMTHITTA.

EXT.P4:- COPY OF THE PETITION DT. 20.11.96 SENT BY THE PETITIONER TO THE WOMEN'S COMMISSION, TRIVANDRUM.

EXT.P5:- COPY OF THE JUDGMENT DT. 1.4.97 IN OP. NO.4531/97 OF THE HONOURABLE HIGH COURT OF KERALA, ERNAKULAM.

EXT.P6:- COPY OF THE REPLY LETTER DT. 9.5.97 SENT BY THE 2ND RESPONDENT TO THE PETITIONER.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P.No. 11255 of 1997

Dated this the 14th day of June, 2007

JUDGMENT

The challenge is on Ext.P6 order whereby sanction for prosecuting the 3rd respondent was refused. It is seen from the impugned order as well as the counter affidavit that the Government has looked into the matter on merits and only after detailed consideration of the matter, the decision to refuse sanction was taken. It is also seen from the counter affidavit that in fact a crime case was registered against the petitioner for obstructing the public servant from discharging his duty.

In the above facts and circumstances of the case as stated in detail in the counter affidavit there is no merit in the writ petition. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.11255/1997

JUDGMENT

14th June, 2007